

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 THADDEUS YUREK,

5 Plaintiff,

6 v.

7 BASS PRO OUTDOOR WORLD, LLC, *et*
8 *al.*,

9 Defendants.
10
11

Case No. 2:17-cv-01265-APG-NJK

**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE REMANDED
FOR LACK OF SUBJECT MATTER
JURISDICTION**

12 This action originally was filed in Nevada state court. ECF No. 1. Defendant Chengbao
13 Enterprise LTD removed the case to this Court based on diversity jurisdiction. However, neither
14 the removal petition nor the complaint identifies the citizenship of the parties. As the party
15 seeking to invoke this Court's jurisdiction, Chengbao bears the burden of establishing jurisdiction
16 exists. *See Naffe v. Frey*, 789 F.3d 1030, 1040 (9th Cir. 2015). Chengbao's removal petition also
17 does not address whether all defendants consent to removal even though it states that the other
18 defendant has been served. *See* 28 U.S.C. § 1446(2)(A).

19 IT IS THEREFORE ORDERED that on or before May 31, 2017, defendant Chengbao
20 Enterprise LTD shall show cause in writing why this action should not be remanded to state court
21 for lack of subject matter jurisdiction and for lack of consent of all defendants. If the defendant
22 does not file a response to this order by that date, the case will be remanded.

23 IT IS FURTHER ORDERED that plaintiff Thaddeus Yurek shall file a response on or
24 before June 9, 2017.

25 DATED THIS 8th day of May, 2017.

26 
27 ANDREW P. GORDON
28 UNITED STATES DISTRICT JUDGE